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February 22, 2008

The Honorable Charles Terreni  
Chief Clerk of the Commission  
Public Service Commission of South Carolina  
Post Office Drawer 11649  
Columbia, South Carolina 29211

Re: Application of BellSouth Telecommunications, Inc. d/b/a AT&T South Carolina to Provide In-Region InterLATA Services Pursuant to Section 271 of the Telecommunications Act of 1996 - (Notice of AT&T's Exercise of Section 4.5.1 of the SEEM Administrative Plan)  
Docket No. 2001-209-C

Dear Mr. Terreni:

Attached for filing in the above-referenced docket is a letter from BellSouth Telecommunications, Inc. d/b/a AT&T South Carolina informing Tennessee Telephone Service, LLC d/b/a Freedom Communications, USA LLC ("Freedom Communications") that in accordance with Section 4.5.1 of the SEEM Plan, AT&T South Carolina will not pay Freedom Communications any SEEM remedies associated with the Reject Interval O-8 and the Firm Order Confirmation Timeliness O-9 performance measures for the month of December 2007. As explained in the attached letter, AT&T missed these measures because of Freedom Communications' submission of local service requests in increased quantities and without adhering to the applicable ordering guidelines.

By copy of this letter, I am serving all parties of record with a copy of these documents as indicated on the attached Certificate of Service.

Sincerely,

Patrick W. Turner

PWT/nml

cc: All parties of record  
Attachment



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**Sent Via Electronic Mail**

February 13, 2008

Matthew T. Davis

Tennessee Telephone Service, LLC d/b/a Freedom Communications, USA LLC  
201 Skyline Drive  
Dickson, TN 37055

RE: Notice of AT&T's exercise of Section 4.5.1 of the SEEM Administrative Plan

Dear Mr. Davis:

Section 4.5.1 of the SEEM Administrative Plan provides in relevant part that AT&T is not "obligated to pay Tier-1 or Tier-2 Enforcement Mechanisms for non-compliance with a performance measure if such non-compliance results from a CLEC[']s acts or omissions that cause failed or missed performance measures. These acts or omissions include but are not limited to, accumulation and submission of orders at unreasonable quantities or times, failure to follow publicly available procedures, or failure to submit accurate orders or inquires."<sup>1</sup> On several days in December 2007, Tennessee Telephone Service, LLC d/b/a Freedom Communications, USA LLC ("Freedom Communications") submitted a greatly increased quantity of local service requests ("LSRs"). Further, these submissions were not made in accordance with applicable AT&T ordering guidelines.

Freedom Communications' submission of such orders resulted in AT&T's inability to meet the SQM measurement standard associated with two ordering metrics -- the Reject Interval O-8 [RI] measurement and the Firm Order Confirmation Timeliness O-9 [FOCT] measurement in several states. Accordingly, and except as noted herein (see footnote 3), please be advised that pursuant to Section 4.5.1 of the SEEM Plan, AT&T is not obligated to pay SEEM payments associated with RI and FOCT for the month of December 2007, because the SEEM liability associated with such measures was triggered by Freedom Communications' actions.<sup>2</sup>

Specifically, on several dates in December 2007, Freedom Communications submitted large quantities of LSRs.<sup>3</sup> Freedom Communications substantially increased its LSR submission volume without providing a forecast in advance of such submissions and without working with AT&T to establish project coordination.

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<sup>1</sup> Alabama SEEM Plan, Version 2.01 (July 1, 2006), Florida SEEM Plan, Version 5.00 (July 1, 2007), Georgia SEEM Plan, Version 3.0 (August 1, 2005); Kentucky SEEM Plan, Version 3.00 (August 1, 2005), Mississippi SEEM Plan, Version 2.01 (November 1, 2006), North Carolina SEEM Plan, Version 2.01 (July 1, 2006); and South Carolina SEEM Plan, Version 2.01 (May 1, 2006).

<sup>2</sup> Freedom Communications' interconnection agreement ("ICA") incorporates by reference the SQM/SEEM plan. See ICA, Attachment 9.

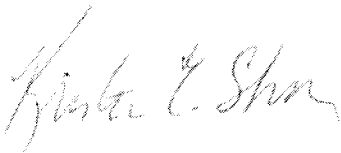
<sup>3</sup> Specifically, December 16th through December 26<sup>th</sup>, 2007. AT&T performed a re-run of the December data for Freedom Communications with the ordering data for the aforementioned days removed. With the days involving "order dumping", AT&T incurred minimal SEEM liability in Kentucky and North Carolina. Because Freedom Communications' activities did not cause this SEEM liability, these payments will be made.

Freedom Communications has an obligation to submit orders as outlined in AT&T's ordering guidelines.<sup>4</sup> Freedom Communications' failure to follow such guidelines placed an extraordinary demand on AT&T's ability to process such orders within the applicable performance intervals and resulted in AT&T missing the RI and FOCT measures through no fault on AT&T's part.

Enclosed for your review are two documents which show the FOCT and RI results for the month of December 2007, for: (i) Freedom Communications; (ii) all other competitive local exchange carriers ("CLECs") operating in the AT&T's Southeast region; and (iii) combined results for all CLECs, including Freedom Communications. As you can see, Freedom Communications' performance results are substantially lower than the performance results for all other CLECs for both measurements. Again, Freedom Communications' results are directly and exclusively attributable to Freedom Communications' failure to follow applicable ordering guidelines and its decision to substantially increase its volume of LSR submissions. The SEEM liability that is being withheld is also set forth in the enclosed FOCT and RI documents.

In sum, Freedom Communications' submission of LSRs in increased quantities and without adhering to applicable ordering guidelines caused AT&T to miss the RI and FOCT performance measures in December 2007. As a result thereof, and except as noted above in footnote 3, AT&T will not pay Freedom Communications any SEEM remedies associated with such measures for the month of December 2007.

Sincerely,



Kristen Shore

Enclosures

cc: Alabama Public Service Commission  
Florida Public Service Commission  
Georgia Public Service Commission  
Kentucky Public Service Commission  
Mississippi Public Service Commission  
North Carolina Utilities Commission  
South Carolina Public Service Commission

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<sup>4</sup> ICA, Attachment 6, § 2.3.1 obligates Freedom Communications to abide by AT&T's electronic interface guidelines. The relevant guideline is AT&T's Operations Support Systems (OSS) Interconnection Volume Guidelines, (Version 7.0, issued September 2007). In submitting LSRs in the volume and manner that occurred in December 2007, Freedom Communications failed to follow the requirements of Section 2 of the aforementioned guidelines. The guidelines are available on the web at the following address:  
[http://wholesale.att.com/reference\\_library/guides/leo/assets/pdf/oss\\_volume\\_guidelines.pdf](http://wholesale.att.com/reference_library/guides/leo/assets/pdf/oss_volume_guidelines.pdf)

STATE OF SOUTH CAROLINA                    )  
  )        CERTIFICATE OF SERVICE  
COUNTY OF RICHLAND                    )

The undersigned, Nyla M. Laney, hereby certifies that she is employed by the Legal Department for BellSouth Telecommunications, Inc.'s d/b/a AT&T South Carolina ("AT&T") Letter with Attachment in Docket No. 2001-209-C to be served upon the following on February 22, 2008:

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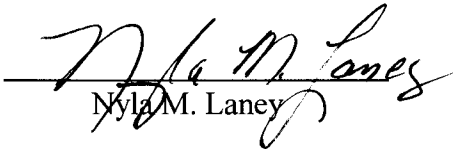
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